

Clay County Board Minutes



COUNTY BOARD OF SUPERVISORS PROCEEDINGS

Courthouse, Clay Center, Nebraska, November 15, 2011 at 9:00 A.M.

The Clay County Board of Supervisors met November 15, 2011 as per public notice given in the Clay County News on November 9, 2011 a copy of the proof of publication being on file in the County Clerk's Office. Availability of the agenda was communicated in the advance notice of the meeting and on the county website. Chairman Fintel presided with roll call showing the following present: Nuss, Samuelson, Anderson, Johnson, Shaw and Fintel; absent: Schmidt. Minutes of the meeting held October 25, 2011 were sent to the board members. All of the proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Chairman, Fintel stated that the open meeting law poster is posted on the west wall in the back of the room.

Motion by Johnson and seconded by Nuss to approve the minutes of the meeting held October 25, 2011 as mailed. On roll call, yea: Samuelson, Johnson, Shaw, Nuss and Fintel; abstain: Anderson; absent: Schmidt. Motion carried.

There was no public input at this time.

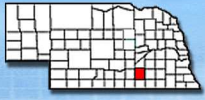
Thomas Roemmich II, Highway Superintendent reported that work is progressing on the Glenvil SE bridge. They have been working on the north shop; will be coming to put in doors.

Tom discussed two fracture critical bridges that have been closed by the state due to pilings being rusted through. Different options were discussed as to how to handle these. Tom will get an informal estimate for replacing the pilings only and put a 3 ton limit on them in order to get them opened again. If the estimate is significant, the board would rather wait and replace them. Tom will contact Kirkham Michael to do the hydraulics.

The Certification for the Highway Superintendent was discussed. Motion by Shaw and seconded by Nuss to authorize the chairman to sign the Certification of County Highway Superintendent for determining incentive payment for the year of 2011. On roll call, yea: Anderson, Johnson, Shaw, Nuss, Samuelson and Fintel; absent: Schmidt. Motion carried.

An easement requested by Mark Bailey was discussed. Motion by Nuss and seconded by Samuelson to approve the easement requested by Mark Bailey for an electrical line across Road R from the SW ¼ Sec. 2-T8N-R6W to SE ¼ Sec. 3-T8N-R6W for electrical service for irrigation; agricultural use only. On roll call, yea: Johnson, Shaw, Nuss, Samuelson, Anderson and Fintel; absent: Schmidt. Motion carried.

An easement requested by Martin Overturf was discussed. Motion by Shaw and seconded by Anderson to approve the easement requested by Martin Overturf for an electrical line across Road X from the SW ¼ Sec. 23-T6N-R5W to SE ¼ Sec. 22-T6N-



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R5W for pivot power; agricultural use only. On roll call, yea: Shaw, Nuss, Samuelson, Anderson, Johnson and Fintel; absent: Schmidt. Motion carried.

Tom has been contacted by Ducks Unlimited who wants to fill in a ditch and build it up enough to put a fence up; this would be to get the fence out of the lagoon by the Mae Carey ground. The board asked Tom for his opinion. Tom said he had no problem with it because it would probably help push water away from the road but he would like to meet with them and see the actual plans. Consensus was to let Tom handle it after seeing the plans; if he is uncomfortable making the decision, he can come back to the board with it.

Tom had information concerning a generator that could be used by the Health Dept. in prolonged power outages. He will gather more information and this will be placed on the next agenda.

The board discussed road concerns with Tom.

Bruce Rumsey, Weed Supt. presented copies of his Oct.-Nov. report, County Noxious Weed Program Evaluation and the County Noxious Weed Program Subjective Evaluation and General Weed Program Information. The two evaluation reports are the first half of the NDA check for Clay County's noxious weed compliance for 2011. Some of the things the state looks at are the superintendents certification, inspection reports, mapping system and proofs of publication for notices. The department received a score of 1000 out of 1000.

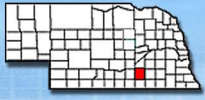
Bruce reported that he has worked on equipment repair, maintenance, and winterization and also building maintenance. Fall spraying and inspections, continuing education and meetings were also reported.

The board conducted the Weed Supt.'s evaluation. Motion by Anderson and seconded by Shaw to increase the wage of the Weed Superintendent by \$100.00 a month retroactive to Sept. 1, 2011. On roll call, yea: Nuss, Samuelson, Anderson, Johnson, Shaw and Fintel; absent: Schmidt. Motion carried.

The board discussed the evaluation process by the County Health Board of the Health Director. A note from the Health Board was presented by supervisor Shaw. The board decided they would still conduct an evaluation.

Loren Uden, Emergency Management Coordinator presented a letter to the State Emergency Management Agency and a Memorandum of Understanding between the South Central PET Region and Clay County.

Motion by Johnson and seconded by Nuss to authorize the chairman to sign the letter to the State Emergency Management Agency requesting NEMA to support the LEPC by expending funds for activities under the grant process as presented by the Emergency Management Coordinator. On roll call, yea: Samuelson, Anderson, Johnson, Shaw, Nuss and Fintel; absent: Schmidt. Motion carried.



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Motion by Anderson and seconded by Shaw to authorize the chairman to sign the Memorandum of Understanding between South Central PET Region and Clay County as presented by the Emergency Management Coordinator. On roll call, yea: Anserson, Johnson, Shaw, Nuss, Samuelson and Fintel; absent: Schmidt. Motion carried.

The need for a bank purchase card for the Emergency Manager to use for meeting expenses, supplies, gas, lodging, etc. was discussed. The board told Loren to talk to Jeff Franklin and get added to the list.

Supervisor Nuss asked about equipment that was being looked at for the new vehicle. Loren explained that he was looking at a slider for the back of the pickup for easier access.

Janis Johnson, Clay County Health Director presented her quarterly report. Janis reported that Mary Lanning Memorial Hospital census is down by 17% and that is being reflected here as well. The department received a great report from the Vaccines for Children Program.

The board conducted the Health Director's evaluation. Motion by Nuss and seconded by Shaw to increase the wage of the Clay County Health Director by \$100.00 a month retroactive to Sept. 1, 2011. On roll call, yea: Johnson, Shaw, Nuss, Samuelson, Anderson and Fintel; absent: Schmidt. Motion carried.

Carrie Breining, Clay County Senior Services Director reported on the Health Fair. It seems that the numbers were down this year. They have decided to hold the Health Fair on the first Saturday of November next year. 75% of the vendors said they would not be back if it was held on Friday next year. The decision to change the day was due to vendor response and hopefully will increase participation.

Linda Whiting, County Assessor stopped in to let the board know that her office was sending out letters to those requesting continued exemptions.

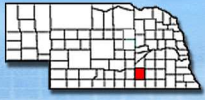
The alternate for voting purposes for the NACO convention was discussed. Gerald Schmidt will be the alternate if the chairman is unable to attend.

The Board had openings on the agenda and decided to move up the board of equalization time. The agenda states that the scheduled times are tentative and the Board reserves the right to alter the scheduled times for the convenience of the Board and Public within the bounds of the law.

Motion by Samuelson an seconded by Johnson to recess this meeting at 11:23 A.M. On roll call, yea: Shaw, Nuss, Samuelson, Anderson, Johnson and Fintel; absent: Schmidt. Motion carried.

Motion by Samuelson and seconded by Anderson to resume session at 11:26 A.M.

Ted Griess, County Attorney told the board that he had looked at different statutes and different case law concerning the drafted conservation plan. His recommendation is to work on the zoning regulations and work with the legislature.



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Resolution #11-18 concerning moving funds for the payment of the backup system was discussed. The County Clerk had contacted the budget preparer and the County Attorney about this transfer. The budget preparer recommended paying for this directly from the Inheritance Tax and not transferring money to the General Fund. The County Attorney said to do it that way and note in the minutes that the money would not be transferred as the Resolution stated.

The fee reports were circulated for review. Motion by Anderson and seconded by Nuss to accept the fee reports for the following county officials for the month of October 2011: County Clerk, \$19,464.55, County Court \$12,144.19, Clerk of District Court, \$6,875.09, County Sheriff for the month of September \$10,677.55 and County Treasurer receipts #11100001 thru #11100051 in the amount of \$175,920.92. On roll call, yea: Samuelson, Anderson, Johnson, Shaw, Nuss and Fintel; absent: Schmidt. Motion carried.

The new supervisor maps and legal descriptions were distributed. Redistricting was necessary due to population changes according to the 2010 census.

Travis Songster, Custodian stopped in to report on the repair work being done on the courthouse exterior. The mud seal is cracked. The contractor advised taking it off and redoing the flashing but that work is not in the original bid. The board said to go ahead and fix it while they were doing the rest of the work.

Motion by Anderson and seconded by Samuelson to adjourn this meeting at 12:15 P.M.; next meeting scheduled for November 22, 2011. On roll call, yea: Anderson, Johnson, Shaw, Nuss, Samuelson and Fintel; absent: Schmidt. Motion carried.

Deborah Karnatz, County Clerk

Ivan Fintel, Chairman